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June 30, 1992

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

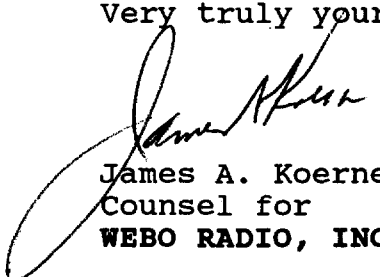
Donna R. Searcy  
Secretary  
Federal Communications Commission  
1919 M Street, N. W.  
Washington, D. C. 20554

Dear Ms. Searcy:

On behalf of WEBO Radio, Inc., licensee of Radio Station WGRG(FM), Owego, New York, there are transmitted herewith an original and four (4) copies of a **Petition for Rulemaking**, seeking reallocation of FM Channel 269A from Owego, New York to Johnson City, New York.

Should additional information be necessary in connection with this matter, please communicate with this office.

Very truly yours,

  
James A. Koerner  
Counsel for  
WEBO RADIO, INC.

Enclosures

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List A B C D E

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

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In the Matter of )  
 )  
Amendment of Section 73.202(b) ) RM-  
Table of Allotments )  
FM Broadcast Stations )  
(Owego and Johnson City, New York) )

TO: Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau

**PETITION FOR RULEMAKING**

WEBO Radio Inc., licensee of Radio Station WGRG(FM), Owego, New York ("WGRG"), hereby petitions the Commission to amend Section 73.202(b) of the Rules to delete the allotment of Channel 269A from Owego, New York and to allot Channel 269A, instead, to Johnson City, New York, and to modify the WGRG license to reflect this change. In support hereof, the following is shown:

1. In Amendment of The Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License, 4 FCC Rcd 4870 (1989), recon. granted in part, 5 FCC Rcd 7094 (1990), the Commission made the basic policy determination that permitting FM licensees to change their community of license without the Commission's having to

entertain competing expressions of interest or competing applications for the amended allotment would, over a period of time, result in overall benefits to the public in that existing stations could adapt to changing market and population conditions. A restriction upon the ability to change city of license, however, is that the last operating station cannot be withdrawn from a community. Station WGRG meets the conditions specified for such reallocation, and the public interest would benefit by allowing a community of substantial size to obtain its first local broadcast outlet.

2. At the present time, Station WGRG, as well as co-owned Station WEBO(AM), are licensed to Owego, New York. The 1990 population of Owego was 4,442. Johnson City, on the other hand, to which WGRG seeks to change the allotment, had a 1990 population of 16,890, and no stations licensed to it. Tioga County, in which Owego is located, had a 1990 population of 52,337, whereas Broome County, in which Johnson City is located, had a population of more than four times that amount, 212,160.

3. From its existing transmitter location, with its presently-authorized and operating facilities, Station WGRG provides 70 dbu service to all of Johnson City. Attached hereto is a map depicting the 70 dbu contour, taken from the application for the station's present facilities. Also attached is a New York State Minor Civil Division map on which the engineer has plotted the 70 dbu contour.

4. Johnson City is located between Binghamton and Endicott. Because of its accessibility to three major highways, Johnson City plays a significant role in the commercial life of the area. The presence of Oakdale Mall, a regional shopping center and the commercial growth around it, draws people from a wide area. The village has its own government, police and fire departments. It is also the home of a major regional hospital as well as medical offices serving the entire area. Its school system, the Johnson City Central School District, is recognized as one of the best in the entire state.

5. Additionally, a new development presently under construction will eventually have 350,000 square feet of commercial office space, 100 town houses, 176 single family homes, and a 216 unit seniors community. Clearly, Johnson City's population will increase beyond the 1990 figure.

6. Although there are presently stations licensed to both Binghamton and Endicott, the population of those cities is such that the stations need to devote their resources to serving the needs of their respective cities of license. At the present time, Johnson City has no station of its own to provide primary service to the needs of its residents. Station WGRG seeks to fill that void.

7. Station WGRG represents that if the proposal advanced herein is granted, it will promptly take appropriate

steps to implement the reallocation, including the filing of an application for minor change to effectuate the modification of license sought.

8. Accordingly, it is respectfully requested that the FM Table of Allotments be modified to delete Channel 269A from Owego, New York and to add it to Johnson City, New York.

Respectfully submitted,

WEBO RADIO INC.

by 

James A. Koerner  
Its Attorney

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## ENGINEERING STATEMENT

The engineering data contained herein have been prepared on behalf of WEBO RADIO, INC., in support of its Petition for Rulemaking to change the community of license of WGRG(FM) from Owego, New York, to Johnson City, New York. It is the purpose of this statement to demonstrate that WGRG provides 70 db $\mu$  service to all of Johnson City.

Attached hereto as Map 1 is a copy of the predicted service contours of WGRG (then WQXT) taken from its application for its present facilities, which was prepared by the undersigned. The base map for this exhibit is a 1:500,000-scale Sectional Aeronautical Chart.

Map 2 is a section of the New York State Minor Civil Division map from the 1980 U. S. Census (1990 Census maps are not yet available). This map is also of 1:500,000 scale, so by matching relevant coordinate grid intersections, it was possible to transfer the 70 db $\mu$  contour directly from Map 1 to Map 2. Also shown on Map 2 is the boundary of Johnson City, which we have highlighted. As indicated, the WGRG 70 db $\mu$  contour encompasses all of Johnson City.

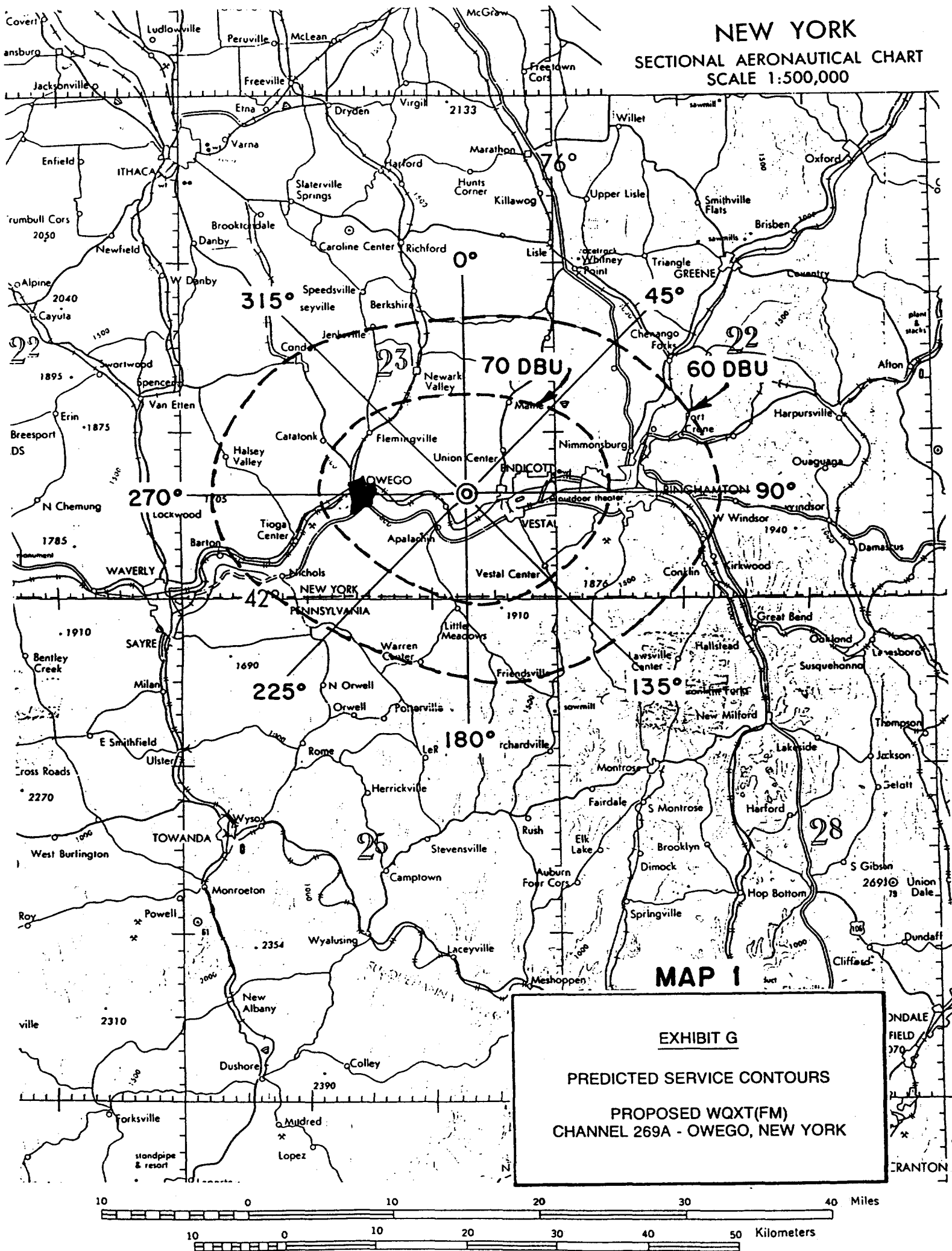
I declare under penalty of perjury that the foregoing statements and the attached maps, which were prepared by me or under my immediate supervision, are true and correct to the best of my knowledge and belief.

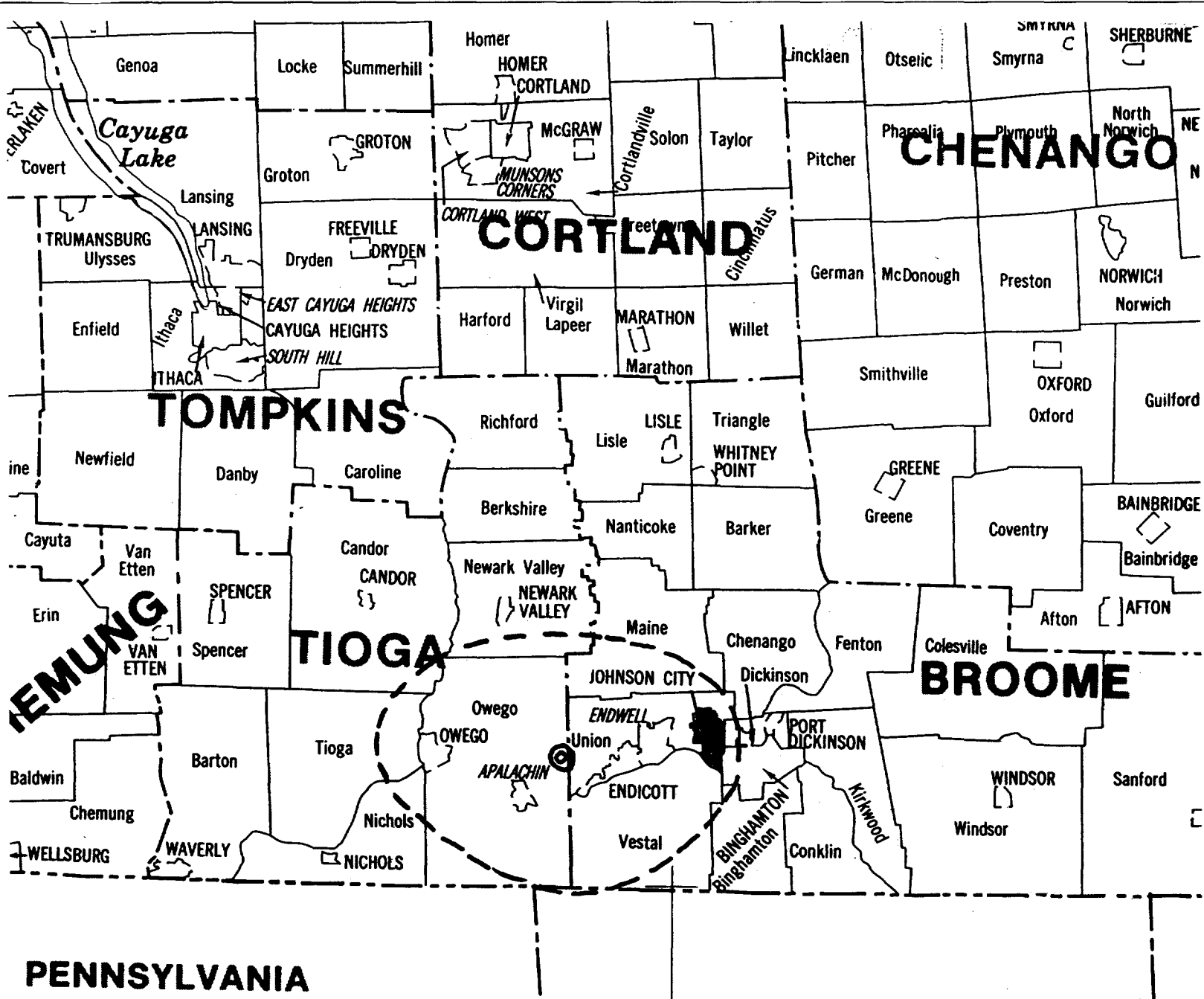


NEIL M. SMITH

June 29, 1992

NEW YORK  
SECTIONAL AERONAUTICAL CHART  
SCALE 1:500,000





MAP 2